**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*): Sir, before you give your definite ruling on the point of order raised yesterday, I crave your indulgence for making a few observations. For, since coming to the House, the Law Member drew my attention to what transpired on an earlier occasion with reference to this particular question itself. During the course of a discussion for supplementary grant Mr. Madhava Variar stood up and said:—

'Sir, I rise to a point of order. Some of the members are not supplied with the necessary papers in connection with this Council. Clause (3) of the Standing Order says:—

"The Secretary shall, at least fourteen clear days before the date fixed for each Sessiod send to every member a provisional list of Legislative Business to be brought forward at a meeting. After sending such a provisional list the Secretary shall send to every member a statement of the business to be transacted at such meeting so as to reach his permanent or Trivandrum address at least three clear days before the date of each Session."

'Now we were not aware of the details of the business to be transacted at this Session sufficiently early.'

'PRESIDENT: I think, Mr. Madhava Variar, that it is hardly a point of order arising now. If the Standing Orders are not adhered to, you may bring the matter to my notice either in writing or in chambers, and I will enquire into the matter.'

In fairness to the Law Member I should make a few observations, for, this question is one of very great importance and is likely to come up for consideration by you, Sir, later on when similar questions are raised. The question for consideration at present is whether your predecessor gave a ruling on the point of order raised by Mr. Madhava Variar. If that is so we are concluded. Let us understand the circumstances under which that question was brought to the notice of the House. There was no attempt at introducing a piece of legislation. It was the voting of grants. He made it as a matter of complaint to the President that the Standing Order was not complied with and the President said that it was hardly a point of order arising then. That was all he said. He never said that there was no point of order involved in it. He never said that it could not be raised at any time. All that he said was that while proceeding with the voting of grants it was hardly a point of order arising for consideration and if it was brought to his notice in writing or in chambers he would consider it. My respectful submission is that there has been no ruling that can be regarded as a ruling on the important question raised by my friend Mr. Piraviperumal Pillai.

**MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*): May I know whether there is any difference with regard to the binding force of Standing Orders and the provisions of the Regulation?

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*): While the Regulation cannot under any circumstances be set at naught even by the President, the Standing Orders under certain circumstances may be suspended by the President within the limits of the authority granted to the President by the Statute and the Rules and the Standing Orders.

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[Rao Bahadur K. A. Krishna Aiyangar.]

This question of the point of order is raised under Rule 26 of the Legislative Council Rules which says:—

"1. The President shall decide all points of order and his decision shall be final.

"2. Any member may at any time submit a point of order for the decision of the President, but in doing so shall confine himself to stating the point."

I take it, Sir, that so far as this Council is concerned there has been no ruling on the point. It will be a travesty of justice to treat the observations by your predecessor as a ruling on the question. We will now examine the provisions. There are two provisions which are apparently conflicting. Standing Order 3 (*b*) says;—

"The Secretary shall, at least 14 clear days before the date fixed for each meeting, send to every member a provisional list of legislative business to be brought forward at such meeting. After sending such provisional list the Secretary shall send to every member a statement of the business to be transacted at such meeting so as to reach his permanent or Trivandrum address at least 3 days before the date of each meeting."

On the ground that that Standing Order was not complied with, Mr. Piraviperumal Pillai raised the point of order for your consideration. The main argument advanced by way of reply by Mr. A. G. Menon was that he placed reliance on Standing Order No. 31. It runs as follows:—

"(1). At any time after a Bill has been published in the Gazette, the member in charge of the Bill may introduce it."

Mr. Menon's argument will be that the provision for the 14 days' notice in the form of a provisional list is not insisted upon under Standing Order No. 31. One of the accepted canons of interpretation of Statutes is to read the Rules as a whole and interpret them so that there will be no absurdity. If the object of that Standing Order—Standing Order 31—is to do away with the mandatory requirements of Standing Order No. 3 (*b*), there is no necessity for retaining Standing Order No. 3 (*b*). The correct interpretation is that, provided that other conditions are satisfied he may, at any time after the Bill has been published in the Gazette, introduce the Bill. A peculiar advantage in the publication of a Bill in the Government Gazette is, it dispenses with the necessity of obtaining leave for introducing it. That is all. The Standing Order No. 29 provides distinctly in matters of legislation that "when a Bill has been published under Rule 29 of the Travancore Legislative Council Rules, a copy of the Bill and of the statement of objects and reasons shall be sent to every member." That is to say the leave of the House is not insisted on; the leave of the House is an essential preliminary to be gone through in all cases in which a Bill has not been so published. The scope of that Standing Order enables a member in charge of the Bill to introduce it after its publication in the Gazette.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I draw the attention of the learned Deputy President to Rule 31 which says that "as soon as may be, after a Bill has been introduced, the Bill, unless it has already been published, shall be published in the Gazette"?

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**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*) : After leave has been obtained—

**MR. A. G. MENON** (*Parur*) : Does the member realise the difference in asking leave of the House and the actual introduction of the Bill ?

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*) : The introduction of the Bill is possible only under two circumstances. Where the leave of the House has been obtained already and where the bill is published in the Gazette. The publication in the Gazette may be without the leave of the House. Whether leave is granted or not, once it is published in the Gazette it is not open to say that the Bill cannot be introduced.

**MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*) : May I know from the learned Deputy President whether a Bill can be introduced without the previous leave of the House or without the previous publication in the Gazette ?

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President* : Once it is published in the Gazette it may be introduced.

**MR. A. G. MENON** (*Parur*) : When it is published under Rule 29 alone.

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*) : When a Bill has been published under Rule 29 and a copy of the same has been supplied to the members, the member in charge of the Bill may move for its introduction.

**MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*) : May I remind the learned Deputy President that publication in the Gazette is not a condition precedent for the Bill being introduced ?

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*) : That is absolutely essential, where leave has not been granted.

**MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*) : Does not Rule 31 provide for the publication of the Bill even after it has been introduced in the House ?

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*) : What Standing Order 31 says is at any time after a Bill has been published in the Gazette the member in charge of it may introduce it.

**MR. A. G. MENON** (*Parur*) : Will the learned Deputy President please refer to Rule 29 ?

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*) : It says " The Dewan may order the publication of any Bill (together with the statement of objects and reasons accompanying it) in the Gazette, although no motion has been made for leave to introduce the Bill ".

**MR. A. G. MENON** (*Parur*) : That was what I was referring to.

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*) : When once the Bill has been published in the Gazette, that Standing Order comes to our rescue. That is Standing Order No. 31.

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**MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): Rule 29 also says that.

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*): Standing Order 31 distinctly says that " at any time after a Bill has been published in the Gazette the Member in charge of the Bill may introduce it." My submission is that the significance of Standing Order 31 only goes thus far that the leave of the House need not be obtained when once the Bill has been published in the Government Gazette. It may be introduced at any time after its publication. Now by implication my friend wants you, Sir, to hold that Standing Order 3 (*b*) is a dead letter or a surplusage. If that is the meaning the legislature intend, Standing Order 3 (*b*) need not be put in at all. It is considered to be a very important provision. It will be seen from the original Standing Order 3 (*b*) which has been passed immediately after the passing of the Legislative Council Regulation. What it says is that "the Secretary shall at least 14 clear days before the date fixed for each Session send to every member a provisional list of legislative business to be brought forward at a Session".

**MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): May I point out that the Standing Order has been amended by substituting the word "meeting" for the word "Session".

**MR. A. G. MENON** (*Parur*): May I request the member to read the whole of the Standing Order No. 3 (*b*)?

**RAO BAHADUR K.A. KRISHNA AIYANGAR** (*Nominated, Deputy President*): Sir, I have no personal interest in the matter except that it involves the privileges of the House. It is open to the Law Member to bring forward a Bill published in the Gazette without giving notice to the members as required by Standing Order 3 (*b*) or giving only half an hour's notice. If he has got the liberty to introduce it at any time, I beg to submit, that leads to an unsatisfactory situation not contemplated by the Statute. The present Standing Order 3 (*b*) says "that the Secretary shall at least fourteen clear days before the date fixed for each meeting send to every member a provisional list of legislative business to be brought forward at such meeting." It was thought that the language was unsatisfactory and ambiguous and it was amended.

I understand from my friend Mr. Paramesvaran Pillai that this question has not been raised and decided in any Legislative Assembly in British India. Possibly there was strict compliance with the requirements of the Standing Order. The other possibility is that the point of order may not have been definitely raised for a ruling by the President. Under the Rules and Standing Orders a very large discretion is given to the President for suspending the Standing Orders, or for condoning the delay. But there is absolutely no provision in the statute which enables the President to suspend the operation of this particular Rule. By way of illustration I would invite the attention of the House to Standing Order No. 19.

"(1). A matter requiring the decision of the Council is brought forward by means of a question by the President on the motion proposed by a member,

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"Provided that the President may in his discretion admit at any time any motion at shorter notice than that prescribed by any order or may admit a motion without notice".

Then later on in Standing Order 32 it is provided—

"If no motion referring the Bill to a Select Committee is made under clause (4) of the preceding Standing Order or if a motion is made and negatived, the member in charge shall not move that the Bill be taken into consideration until the expiration of fifteen clear days from the date on which the Bill was read under Clause (2) of the preceding Standing Order :

"Provided that the President may, in his discretion, suspend the Standing Order and allow the motion to be made at once or before the expiration of fifteen clear days".

With reference to that particular Standing Order there is a proviso that "the President may in his discretion suspend the Standing Order and allow a motion to be made at once or before the expiration of fifteen clear days".

Then again there is Standing Order 64. It says "(1) Unless the President otherwise directs not less than 15 days' notice of a motion for leave to amend the Standing Orders shall be given, and the notice shall be accompanied by a draft of the proposed amendments.

"(2) The motion shall be set down for such days as the President may direct."

In all those cases discretion is allowed to the President and there is express provision to that effect. So far as this particular Standing Order is concerned, unfortunately there is no express provision as to the procedure to be followed if that Standing Order was not complied with. On going through the Standing Orders, Sir, I find only one provision which you may consider. It is Standing Order 71 which runs as follows:—

"The President shall have power to regulate the conduct of business in the Council in all matters not provided for in the Regulation, the Rules or the Standing Orders".

If you should hold, Sir, that after all, the provision in Standing Order (3) is not a very important provision, and that it might be ignored, if you think that you can take any action under Standing Order 71, it will be possible to admit my friend's motion. Even there, I have very grave doubts whether a definite violation of a distinct Standing Order can be said to be contemplated under Standing Order No. 71, especially when the legislature has taken the trouble to specify the particular Standing Orders which it is open to the Chair to suspend. These are the difficulties, Sir, that strike me as requiring your consideration.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does the learned Deputy President notice that there is no provision in the Rules or the Standing Orders to say that if any business is not included in the provisional list, then it shall not be transacted?

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**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*): The Standing Orders do not provide for the contingency of that rule not being complied with. I merely threw out a suggestion.

**MR. KAYALAM PARAMESVARAN PILLAI** (*Additional Head Sirkar Vakil*): Another point that I wish the learned Deputy President to note is that the Standing Order relating to the provisional list appears under the heading "Meetings of Council" and not under the heading "Sittings of the Council and arrangement of Business" and under this latter heading there is a Standing Order No. 7, which lays down that if a business is not included in the day's list, it shall not be transacted.

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*): We assume that neither provision is violated. Mr. Kayalam Paramesvaran Pillai drew my attention to an apparent difference between the headings of the chapter containing the two provisions in the contention. There is not much substance. If that is all the liability, if that is all the preliminary to be gone through, why was the provision about clear 14 days' notice put in? Are we to assume that that was a thoughtless provision or a surplusage or a provision which anybody can defy? It does not even require the authority of the Chair to allow him to make a motion if reliance on Standing Order 31 is placed.

**MR. KAYALAM PARAMESVARAN PILLAI** (*Additional Head Sirkar Vakil*): Does the learned Deputy President think that no argument is possible from the presence of an express prohibitory provision in Standing Order 7 (2) that if the provision of Standing Order 7 (1) is violated the business concerned shall not be transacted and the absence of a similar prohibitory provision in case of a violation of Standing Order 3 (*b*)?

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*): The presence of a remedy contemplated in some sections and the absence of a remedy in Standing Order 3 distinctly tell you what the object of the legislature is. Some Rules you can violate with impunity.

**PRESIDENT**: Before you proceed further, I should like to hear an expression of your views on three matters. Firstly, in your opinon do Standing Order 3 and Standing Order 31 apply to the same persons? The second point is, do both impose a duty or both confer rights and privileges or are rights and privileges derived from one Standing Order and the duty imposed entirely by another Standing Order? The third point in which I should like to hear you is, what you conceive is the purpose, assuming a deliberate purpose, of Standing Order 3 fixing a time for notice?

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*): I assume, Sir, as a student of law, that a Legislature never stultifies itself. It never puts in any superabundant or unnecessary provision. The rule is certainly mandatory and like all mandatory provisions ought to be complied with. That is my submission for your consideration. You just put me the question what is the purpose of it, what is the object of it? I say it is one of the valued privileges of

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the House. Every member of the House is entitled to have what the Statute considers to be the minimum period of notice of 14 days in considering such an important question as legislation, as distinct from other motions, with regard to which 14 days' notice is not required at all.

Legislation requires sufficient preparation. Whether some of us cannot do the work in a shorter time is not the question. The Legislature has thought that there must be clear 14 days' notice in advance in a matter dealing with legislation. Whether you take it up at that meeting or not is not a matter of any concern. It is left to the Government to adjust the course of business according to the pressure of business before them. It could not for the moment be contended that it is an unimportant or an insignificant part that that Standing Order subserves. It is certainly a very important question. It must be conceded, Sir, that there is no ruling because your predecessor observed that the point of order did not arise for consideration there. The question was raised in the nature of a general complaint with reference to the shortcomings in the Secretariat, something in the nature of a complaint by a member to the Dewan that work has been rather slack. Now the question that you have to decide is whether it is one of those provisions which can be ignored. I submit if it was meant to be ignored, then the Standing Order ought to be erased from the Statute Book at the earliest possible date. Well, if it is to continue there, provision must be made empowering the President to condone the delay or to suspend the operation of that Standing Order under exceptional circumstances. But until that is done we have to go by the Standing Order as it stands.

The other question, Sir, that you wanted me to speak upon——

**PRESIDENT**: Before you get to the other question, may I ask you to reassure me on one or two points, and that is whether you will consider that the imposition of a 14 days' time limit is to ensure that the machinery of the Council is not set in motion without adequate safeguards against hasty or ill-considered or only briefly considered legislation?

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*): That must have been the purpose of it. But it does not leave any room for adjudication by the Chair as to whether in a particular case the requirements had been met. It may be a question that has been before the public and the Council for years and years together. After all, nobody may be seriously prejudiced by the non-compliance of that Order. When once a law has been made it applies to all cases. The order must be complied with. I myself feel that it may operate rather harshly in certain exceptional cases. Therefore the power must be taken by the Chair to suspend the operation of the rule in the interests of business and for facilitating the progress of work as we have done in other cases. There is absolutely no reason to suppose that the interests of the public will be seriously prejudiced by the Chair being invested with the power to suspend the Standing Order. As you remark



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[Rao Bahadur K. A. Krishna Aiyangar.]

that must have been the object of the Legislature, but there it is. When you lay down a Statutory minimum and where you do not work up to it the normal presumption is that members have been prejudiced. The Law Member assures me that there is no ruling on the point in British India.

**MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): There is one ruling. May I point that out to the learned Deputy President?

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*): Thank you if you can help me. I was just acting on what Mr. Kayalam Paramesvaran Pillai told me.

**MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): The Law Member said that there was no point of order similar to the one raised here in any of the British Indian Legislatures. There was no point of order similar to the one, but another point of order regarding the rights and privileges of the House was raised when the Public Safety Bill was introduced in the Legislative Assembly. It was published in the Gazette. But the Secretary did not send printed copies of the Bill to the members of the House. Pandit Motilal Nehru raised the point that each member of the Assembly was entitled to get a copy of the Bill and said that unless a copy of the Bill was sent to each member, the Bill should not be introduced. The Law Member of the Government of India then contended that the Bill was published in the Gazette, the Gazette was circulated to all their members and that it served the purposes of the circulation of the Bill. Pandit Motilal Nehru contended that each member is entitled to get a printed copy of the Bill even though it was published in the Gazette. The learned President of the Assembly, the Hon'ble Patel accepted Mr. Nehru's contention and did not allow the Bill to be introduced.

**MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikpalli*): Is it the contention of the member that he did not receive a copy of the Kanapattam Bill?

**MR. S. PIRAVIPERUMAL PILLAI** (*Commerce and Industry, South*): My point is that a similar case involving the rights and privileges of the House occurred in British India.

**MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*): May I know how that is similar to the question that has arisen here?

**PRESIDENT**: I should like to hear you, Mr. Krishna Aiyangar, on the other points.

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*): I think I have exhaustively dealt with the purpose of the Rule.

**PRESIDENT**: Very fully. Thank you for that; but the other points have not been dealt with by you. Do Standing Orders 3 and 31 apply to the same persons? Do both impose duties as well as confer rights and privileges or does one merely impose a duty and the other merely confer rights and privileges?

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**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*) : As regards Standing Order (3)(*b*) it is a privilege, Sir, so far as the members of the House are concerned. No question of privilege arises as regards Standing Order 31. We have to assume in dealing with a later portion of the Statute that the earlier provisions are complied with.

Before you go to the application of Standing Order No. 31 you must know what are the essential requirements of the earlier Standing Orders. It is only when these were complied with, that you can go on to Standing Order No. 31 which says that the member in charge of the Bill may introduce the Bill.

The incident which Mr. Piraviperumal Pillai mentioned escaped my notice. A printed copy of the Bill was not circulated among the members. On behalf of the Government, the Law Member of the Government of India argued that it was published in the Gazette and the Gazette was being sent to every member. Why should a separate sheet be sent to all the members ? How can it be said that the members were prejudiced by a separate sheet not being sent ? They could no more be prejudiced by a separate sheet not being sent, than by the failure to send the provisional list. Still, if it is a privilege it should not be so lightly taken away unless there is a specific power conferred on the Chair for the purpose. It seems to me that I have dealt with the questions you asked.

**PRESIDENT** : Would it be correct in your opinion to say that Standing Order 3 (*b*) merely imposes a duty on the Secretary to the Legislative Council and concerns nobody else.

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*) : The duty is imposed on the Secretary. It is a declaration of the privileges of the House. Somebody has got to do this. The Secretary does it. The rights could not be so unsubstantial that the Secretary could take them away. Supposing some Under-Secretary writes or the Chief Secretary writes to the Members of the Council; it may not be a notice as required by Standing Order 3. It must be signed by the Secretary to the *Legislative Council*. It is a privilege that cannot admit of serious dispute. Whether there has been any serious inconvenience by the privilege being taken away, that does not arise.

**PRESIDENT** : In regard to the question I put to you, does Standing Order 31 confer rights and privileges on any body in particular ?

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*) : It is not a question of privilege. It is only a process of procedure. It deals with the procedure to be followed except when we come to Standing Order 32 where power is given to the Chair to suspend the operation. I do not profess to be absolutely sure that my position is correct. At any rate, those are aspects of the question which deserve consideration by you, Sir.

**MR. K. P. NILAKANTA PILLAI** (*Chirayinkil*) : My question is when the whole procedure to be adopted in the House is brought under separate headings such as Legislation, etc., and there is also a general provision, I wish to know whether the particular provision under particular

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[Mr. K. P. Nilakanta Pillai.]

heading controls the subject dealt with thereunder or whether the general provision controls the subject?

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*): Standing Order 31 deals with legislation and Standing Order 3 (*b*) also deals with legislation.

**MR. A. G. MENON** (*Parur*): Sir, my argument as regards Standing Order 3 (*b*) is that it is only a duty cast on the Secretary to do certain things and it involves no privileges. In fact the one section that confers privileges to a member is Standing Order 31 which enables a member to introduce a Bill as soon as the Council has given its assent. The other is only a ministerial function assigned to an official and if the official has not done his duty, the only proper method for the Council is to punish that officer, but we have no control over the Secretary or the Secretariat. But that has nothing to do with the privileges of the Legislature or of the members, whereas Standing Order 31 is really the one which confers the privilege. I am extremely pained to see that an old member like Rao Bahadur Krishna Aiyangar—

**RAO BAHADUR K. A. KRISHNA AIYANGAR** (*Nominated, Deputy President*): I have to do my duty, Sir.

**MR. A. G. MENON** (*Parur*): I am extremely pained to see an old member like Rao Bahadur Krishna Aiyangar coming here and pleading like a vakil as regards a Standing Order, which even laymen will see controls the action of a ministerial officer and which deals with the duty of a Government servant. The other Standing Order deals with the privilege vested in the member.

**PRESIDENT:** Today's discussions have re-emphasised, if further emphasis is necessary, that the point at issue is both important and intricate. Unfortunately there are no previous rulings or decisions which have been found to bear directly on the question. To rule upon the subject will be therefore breaking new ground. As the point of order was raised by a non-official member with the express object of maintaining the rights and privileges of this House unimpaired, the decision that I give must be carefully weighed and considered. I trust that the member whose Bill has given rise to this discussion will understand me when I say that it is not with any object of hindering or hampering the introduction of the Bill that I ask for some time more to consider very, very carefully this question which deals with the rights and privileges of the House.

Mr. Damodaran Asan brought forward a motion for the adjournment of the House to discuss the question of the floods in Northern Travancore. I promised him that I would obtain information by telegraphing to the Dewan Peishkars concerned. The Dewan Peishkar, Kottayam telegraphs:

"No flood etc., in Parur, Kunnatnad, Todupuzha, Muvattupuzha, Shertallai and Minachil taluks. Slight damages to punja crops Kottayam taluk due to untimely rains."

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The Dewan Peishkar, Quilon, telegraphs :

"Regarding floods information so far received shows considerable damage to crops in Mavelikara. Slight damages Tiruvalla no loss of life or property."

That is about all the information we have at present. If you consider upon that information a useful debate can proceed, I am prepared to allow you to do so and shall fix 3 o'clock this afternoon for discussion.

**MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*) : My adjournment motion relates to the untimely and heavy rainfall. It does not relate to floods.

**PRESIDENT :** It relates to the same thing. Do you wish that the motion should be discussed ?

**MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*) : Yes.

**MR. KAYALAM PARAMESVARAN PILLAI** (*Additional Head Sirkar Vakil*) : Leave has not yet been granted by the House.

**MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*) : Nobody has opposed it. Unless it is opposed there is no necessity to ascertain the wish of the House.

**PRESIDENT:** But I have got to place the information, *i. e.*, the reports of the Dewan Peishkars, before the House. I will therefore read them again.

TELEGRAM DATED 25-4-1929 FROM THE DEWAN PEISHKAR, KOTTAYAM.

No flood etc., Parur, Kunnatnad, Todupuzha, Muvattupuzha, Shertallai, Minachil taluks slight damages to puncha crops Kottayam taluk due to untimely rains. Shall wire information regarding Changanachery, Vaikam.

TELEGRAM DATED 26-4-29 FROM THE DEWAN PEISHKAR, QUILON.

Regarding floods information so far received shows considerable damage to crops in Mavelikara slight damages Tiruvalla no loss of life or property. Other Tahsildars' reports awaited.

**MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*) : What I beg to submit is that there is no reference to floods in my adjournment motion. It only refers to untimely rains.

**PRESIDENT :** These are the two telegrams which refer to untimely rains also. That is all the information that the House will have before it upon which to proceed with the discussion of the adjournment motion.

**MR. K. GEORGE** (*Chief Secretary to Government*) : Sir, I object to the motion being discussed. My point is that we have not sufficient materials for a useful debate being held on the subject.

**MR. A. S. DAMODARAN ASAN** (*Mavelikara* cum *Kartikapalli*) : I would like to know the result of my adjournment motion tabled yesterday.

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